

Amendments to the Drawings:

The attached sheets of drawings include changes to Figs. 2 and 4. This sheet, which includes Figs. 2, 4 and 6, replace the original sheets including Figs. 2, 4 and 6.

Attachments: Annotated Sheets
Replacement Sheets

REMARKS/ARGUMENTS

In view of the foregoing amendments and the following remarks, the applicants respectfully submit that the pending claims are not anticipated under 35 U.S.C. § 102 and are not rendered obvious under 35 U.S.C. § 103. Accordingly, it is believed that this application is in condition for allowance. If, however, the Examiner believes that there are any unresolved issues, or believes that some or all of the claims are not in condition for allowance, the applicants respectfully request that the Examiner contact the undersigned to schedule a telephone Examiner Interview before any further actions on the merits.

The applicants will now address each of the issues raised in the outstanding Office Action.

Objections

Claim 29 stands objected to as being of improper dependent form. Since this claim has been canceled, this ground of rejection is rendered moot.

Rejections under 35 U.S.C. § 102

Claims 1-5, 7-19 and 21-30 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Patent Application No. 2003/0050863 ("the Radwin publication"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

First, since claims 1 and 7 have been canceled, this ground of rejection is rendered moot with respect to these claims.

Before addressing at least some of the patentable features of the claimed invention, the Radwin publication is introduced. The Radwin patent concerns serving both "immediate" ads, and "time-dependent" ads. An immediate ad is presented with an associated search results page, while a time-dependent ad is presented with a web page presented to a user after the display of the search results page (until a period of time expires). (See, e.g., the Abstract.) An immediate ad is determined based on a current search query, while a time-dependent ads is determined based on past search query information stored in a user profile.

Referring to both Figures 2 and 6, a user's search query, which has one or more search terms, is accepted by a web server. The user's search terms and characteristics (e.g., time and date) are stored and indexed for later use to present time-dependent advertisements associated with the search terms. Each search term is associated with a time stamp, as a characteristic, for determining when the search term is to no longer be used for selecting a time-dependent advertisement based upon the particular search term. (See, e.g., paragraph [0053].)

Immediate (also referred to as "keyword targeted") ads may be determined as follows. One or more received search terms are matched against keyword terms stored in an advertisement database (See, e.g., the search term index 24 of Figure 4 and the ad repository 20 of Figure 5.) to determine which advertisement will be presented as

an immediate (i.e., keyword) advertisement. Such matching is performed, for example, by comparing each character of a text string representing the search terms with that of a text string representing the stored keyword terms. In determining the immediate (i.e., keyword) advertisement, matching is limited to those advertisements which are designated as keyword advertisements. (See, e.g., the keyword flags 45 that are "set" in Figure 5.) Finally, search results generated, for example, by a search engine 52 are presented to the user along with the determined immediate ad. (See, e.g., paragraphs [0053] and [0054].)

Suppose that the user selects another web page to view. The selected web page, when displayed, contains information associated with the search term queries and is accompanied by a time-dependent ad which may have been determined as follows. Previous search terms (e.g., stored in a user profile) are fetched (if the time stamp indicates that the search term has not expired). The previous search terms are matched against non-keyword terms (i.e., not flagged as a keyword term) to determine a sub-set of ads eligible for presentation as a time-dependent advertisement. A single time-dependent ad is selected from this sub-set of ads **by determining which of the advertisements in the sub-set is optimal for presentation**. The selection process might (a) filter out ads that are not related to a previously stored search term (i.e., advertisements not associated with advertisement types related to certain terms), (b) maximize revenue, and/or (c) meet guaranteed minimum impression quotas. The selected time-dependent ad is then presented to the user accompanied with the content of the

other, selected, web page. (See, e.g., paragraphs [0055] and [0056].)

Referring to Figure 5, note that the keyword flag 45 indicates whether a specific advertisement is to be presented when a certain search term is used to provide the results of a search query. For example, for keyword term "France", ad Bn (such as an advertisement for a French auto rental agency) is set to 1 to indicate that ad Bn is to be presented with the search results page. Such keyword terms are generally subject to an exclusive contract prohibiting other advertisements from being shown when a particular keyword search term is queried, whether alone or in combination with other terms. (See, e.g., paragraph [0045].)

Still referring to Figure 5, an ad importance weighting value 47 is either set automatically, or by an editorial staff member, to indicate how valuable and/or relevant a particular ad type or ad is relative to other ad types and ads. The importance weighting value 47 of a particular ad associated with an ad type might be adjusted based on external events or the significance of an ad. For example, if the number of impressions of an ad under a CPM arrangement is predicted to be below guaranteed minimum, an appropriate ad importance weighting value may be assigned to that ad. If a higher importance weighting is assigned to the ad, the ad will have a relatively higher probability of being selected than otherwise. For example, as shown in Figure 5, since advertisements A1 and An are not keyword advertisements, they have a lower probability of being presented as a keyword flagged A2. Since, however, An has been assigned an importance weighting of 9, it might be shown before

advertisement A1. Other weighting factors might override the importance weighting or be combined with it to form an overall weighting. (See, e.g., paragraph [0041].)

As can be appreciated from the foregoing, the Radwin patent does not describe scoring ads based on a *degree of* match, nor does it describe applying thresholds to ranked or scored ads.

Claim 2 has been rewritten in independent form to include the features of canceled claim 1. Similarly, claim 8 has been rewritten in independent form to include the features of canceled claims 1 and 7. Finally, claim 15 has been amended to recite a feature from canceled claim 16.

Independent claims 2, 15 and 30 are not anticipated by the Radwin publication because the Radwin publication does not teach scoring advertisements according to a *degree of* a match between the query and the characteristics of the identified advertisements. In rejecting original claims 2 and 16 which recited this feature, the Examiner cited paragraphs [0040] and [0041] of the Radwin publication as teaching this feature. The cited paragraphs concern an ad repository 20, such as the one illustrated in Figure 5. Apparently, in the Radwin publication, ads may be selected as a function of an associated keyword flag 45 and/or an importance weight 47. As can be appreciated from the data structure of Figure 5, the keyword flag 45 and/or the importance weight 47 are associated with the ad and are therefore independent of a search query or a *degree of* match between an ad and a search query.

As discussed above, the keyword flag 45 indicates whether a specific advertisement is to be presented when

a certain search term is used to provide the results of a search query. As also discussed above, the ad importance weighting value 47 is either set automatically, or by an editorial staff member, to indicate how valuable and/or relevant a particular ad type or ad is relative to other ad types and ads. Neither describes a degree of match between a query and characteristics of an ad.

As can be appreciated from the foregoing, independent claims 2, 15 and 30 are not anticipated by the Radwin publication. Since claims 3-5 and 12-14 depend, either directly or indirectly, from claim 2 and since claims 17-28 depend, either directly or indirectly, from claim 15, these claims are similarly not anticipated by the Radwin publication.

Independent claim 8 is not anticipated by the Radwin publication because the Radwin publication does not teach a ranker to rank the identified advertisements using a selection criteria and ordering at least some of the ranked identified advertisements, and a selector to select at least some of the ordered identified advertisements relative to a ranking cutoff. The Examiner again cites paragraphs [0040] and [0041] of the Radwin publication as teaching this feature. However, the applicants respectfully submit that there is no ranking cutoff applied in the Radwin publication. Accordingly, claim 8 is not anticipated by the Radwin publication for at least this reason. Since claims 9-11 depend, either directly or indirectly from claim 8, these claims are similarly not anticipated by the Radwin publication. (Note also that dependent claims 5, 19, and

22 are further not anticipated by the Radwin publication for at least this additional reason.)

Rejections under 35 U.S.C. § 103

Claims 6 and 20 stand rejected under 35 U.S.C. § 103 as being unpatentable over the Radwin publication. The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

The Examiner concedes that the system described in the Radwin publication does not include a filter for filtering identified ads relative to at least one of a country, a locale, a language and a daily budget. In an attempt to compensate for this admitted deficiency, the Examiner notes that paragraph [0007] of the Radwin publication discloses that using demographic profiling is known in the art. The Examiner then concludes that it would have been obvious to modify the system taught by Radwin to include the claimed filter in order to enhance the efficiency of the targeted ads by focusing the selection and ensuing delivery of the ads to users who are more likely to purchase the items advertised.

The applicants respectfully disagree with the Examiner's conclusion in view of the express "teaching away" of the proposed modification in the Radwin publication. Specifically, the very next paragraph (paragraph [0008]) of the Radwin publication notes the "significant drawbacks" of using demographics. As one example, the Radwin publication notes that users sometimes provide inaccurate information about their demographics. As another example, the Radwin publication

notes that demographic ad targeting is impaired by inaccurate underlying assumptions. (See, e.g., paragraph [0008].) In view of the express teaching away from the use of demographic information for ad serving decisions in the Radwin publication, the applicants respectfully submit that the one skilled in the art would not have been motivated to modify the system of the Radwin publication as proposed by the Examiner.

Thus, dependent claims 6 and 20 are not rendered obvious by the Radwin publication for at least the foregoing reason.

Amendments to the Specification

The specification has been amended to correct a number of minor errors. No new matter has been added.

Amendments to the Drawings

The proposed amendments to the drawings correct reference numbers or provide missing reference numbers.

Conclusion

In view of the foregoing amendments and remarks, the applicant respectfully submits that the pending claims are in condition for allowance. Accordingly, the applicants request that the Examiner pass this application to issue.

Respectfully submitted,

July 6, 2006

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CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited on July 6, 2006 with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

John C. Pokotylo

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Figure 2.

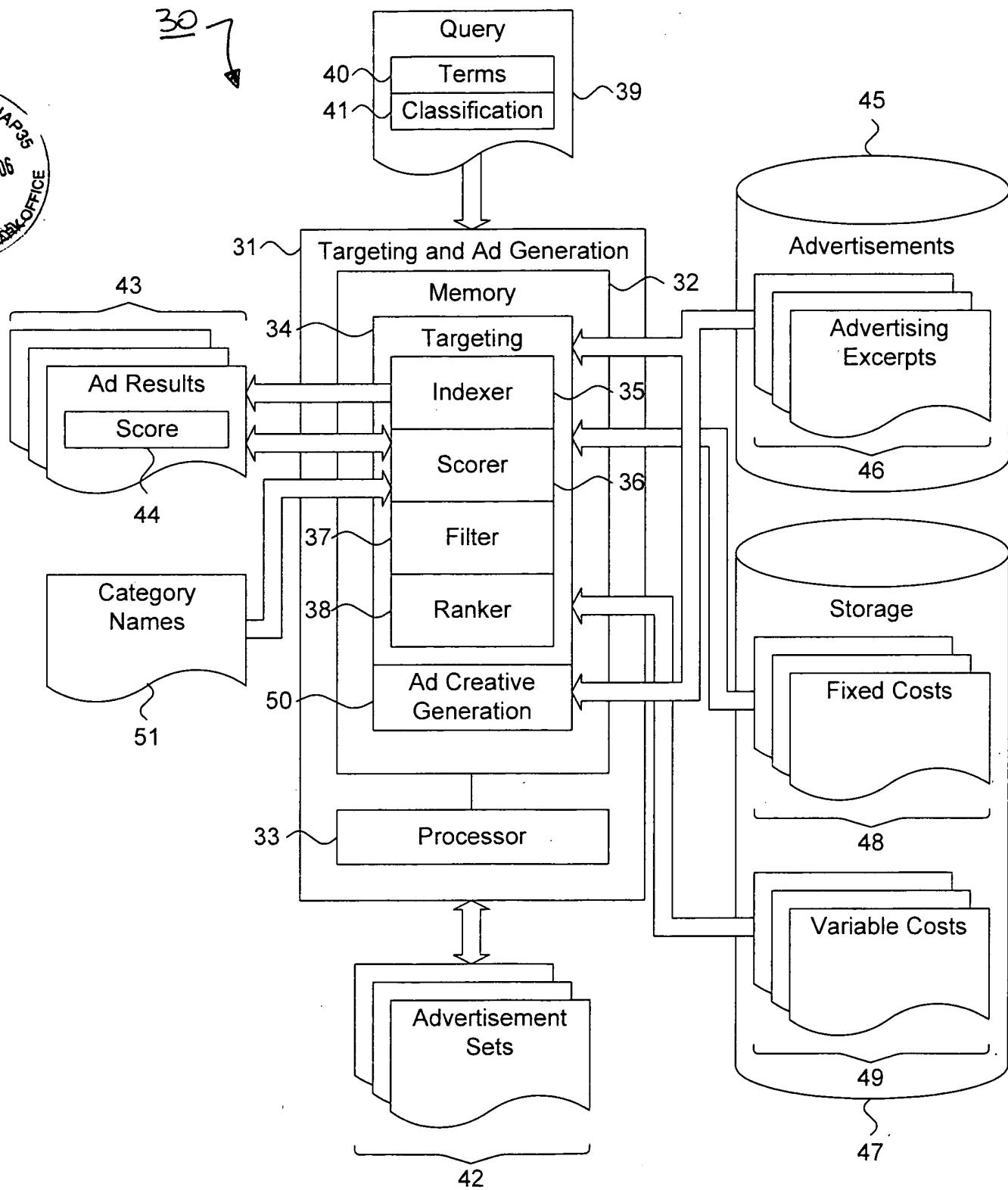


Figure 4.

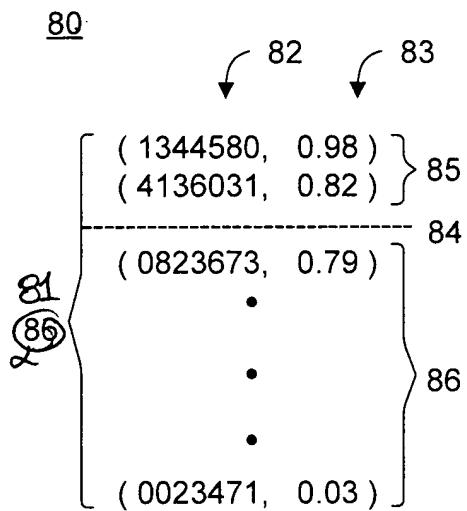


Figure 6.

